

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Fuscelli Pytel	Confirmation No.:	7294
Appl. No.:	10/596,490	Group Art Unit:	4131
Filed:	02/09/2007	Examiner:	Nelson C. Blakely, III
For:	A BASE COMPOSITION FOR PREPARING MULTI-FUNCTIONAL FORMULATIONS FOR CARE AND PROTECTION OF THE SKIN AND HAIR		

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the Office Action dated June 11, 2008, in which the Examiner has required election of one of the three following species: (1) a filmogenic agent selected from those disclosed in instant Claim 6; (2) an additional emulsifying system selected from those disclosed in instant Claim 7; and (3) a sunscreen system selected from those disclosed in instant Claim 10.

Applicant hereby provisionally elects the following species:

- (1) a filmogenic agent: cyclomethicone readable on Claims 1-30;
- (2) an additional emulsifying system: fatty alcohol readable on Claims 1-30; and
- (3) a sunscreen system: cinnamic acid readable on Claims 1-30.

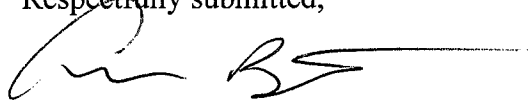
Applicant expressly reserves the right to rejoin non-elected species upon allowance of a generic claim. Applicant also expressly reserves the right to file divisional applications or take such other appropriate measures deemed necessary to protect the inventions of the unelected species.

Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned so that further examination of this application can be expedited.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Appl No.: 10/596,490
Amdt. dated 07/15/2008
Reply to Restriction Requirement of 06/11/2008

Respectfully submitted,



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